

C.A.No. 2138 OF 2000
ITEM No.201

Court No. 9

SECTION XVI
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.No.17-18 In Civil Appeal No.2138/2000

TURNER MORRISON & CO.LTD.

Appellant (s)

VERSUS

HUNGERFORD INVEST.LTD.

Respondent (s)

(For directions and exemption from filing typed fair copies
of documents contained in Volume-I & II)

With

CONMT.PET.(Civil)No.80/2003 in C.A.No.2138/2000
(With appln. for substituting true copy of publication)

Date : 08/04/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant (s)Dr. A.M. Singhvi, SR.Adv.
Mr.Krishnendu Dutta, Adv.
Ms. Gitanjali Lakhotia, Adv.
Mr. Krishna Kumar,Adv.

For Respondent (s)Mr. K. Ramamoorthy, Sr.Adv.
Mr. Sri Ram J. Thalapathy, Adv.
Mr. S.S. Jauhar,Adv.
Ms. Shoba Nagarajan, Adv.
Mr. G.D. Gupta, Adv.

UPON hearing counsel the Court made the following

O R D E R

The contempt petition is disposed of and I.A.Nos.17 and 18 are allowed, in terms of the singed order.

(N. Annapurna)
Court Master

(Veera Verma)
Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A.NOs.17 & 18

AND

CONTEMPT PETITION (C) NO.80 OF 2003

IN

CIVIL APPEAL NO.2138 OF 2000

Turner Morrison & Co. Ltd.
...Petitioner

Versus

Hungerford Investments ltd.
...Respondent

O R D E R

Contempt Petition (C) No.80/2003:

This Court passed an order in Civil Appeal No.2138/2000 on December 11, 2002 whereby a learned Judge of the Calcutta High Court was directed to consider and dispose of the petition filed by the respondent herein under Section 397 and 398 of the Companies Act. It was also indicated that the learned Single Judge would be at liberty to examine the question of locus standi of the respondent in view of the subsequent events that had happened. It is alleged by the petitioner herein that subsequent to the order passed by this Court, the respondent had published a notice on January 18, 2003 and that the contents of the notice amount to contempt of the order passed by this Court, indicated supra.

We have heard learned counsel on either side. Learned counsel for the respondent submits that the respondent will not make any further publication except quoting the order passed by this Court. We take that the contempt alleged by the petitioner has been purged and we do not want to pass any order in this petition.

The contempt petition is, accordingly, disposed of.

I.A.Nos.17 & 18:

The applications are allowed.

(K.G. BALAKRISHNAN)

.....J.

.....J.

(B.N. SRIKRISHNA)

New Delhi,
April 08, 2004.